#### Case 09-75019 Doc 37 Filed 04/30/15 Entered 04/30/15 16:30:07 Desc Main

### Document Page 1 of 9 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re: GENDLE, GEORGE R., JR.	§ Case No. 09-75019-MB
GENDLE, DOROTHY I	§
	<b>§</b>
Debtor(s)	§

#### TRUSTEE'S FINAL REPORT (TFR)

The undersigned trustee hereby makes this Final Report and states as follows:

- 1. A petition under Chapter 7 of the United States Bankruptcy Code was filed on November 12, 2009. The undersigned trustee was appointed on October 23, 2014.
  - 2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
- 3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A.** 
  - 4. The trustee realized the gross receipts of \$\, \text{224,660.00}\$

    Funds were disbursed in the following amounts:

    Payments made under an
    interim distribution \text{20,250.00}
    Administrative expenses \text{72,630.55}
    Bank service fees \text{32.31}

Bank service fees32.31Other payments to creditors0.00Non-estate funds paid to 3rd Parties0.00Exemptions paid to the debtor17,350.00Other payments to the debtor0.00

Leaving a balance on hand of  $\frac{1}{2}$  \$ 114,397.14

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

<sup>&</sup>lt;sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. § 326(a) on account of the disbursement of the additional interest.

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- 6. The deadline for filing non-governmental claims in this case was 01/29/2015 and the deadline for filing governmental claims was 01/29/2015. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.
  - 7. The Trustee's proposed distribution is attached as **Exhibit D**.
- 8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$9,566.31. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$0.00 as interim compensation and now requests the sum of \$9,566.31, for a total compensation of \$9,566.31. $^2$ In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00 and now requests reimbursement for expenses of \$0.00, for total expenses of 0.00.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 03/24/2015	By:/s/BERNARD J. NATALE
	Trustee

 $\textbf{STATEMENT:} \ This \ Uniform \ Form \ is \ associated \ with \ an \ open \ bankruptcy \ case, \ therefore, \ Paperwork \ Reduction \ Act \ exemption \ 5 \ C.F.R. \ \S \ 1320.4(a)(2) \ applies.$ 

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Form 1

## **Individual Estate Property Record and Report Asset Cases**

Case Number: 09-75019-MB

GENDLE, GEORGE R., JR.

GENDLE, DOROTHY I

Period Ending: 03/24/15

Case Name:

Trustee: (330370)BERNARD J. NATALE

Filed (f) or Converted (c): 11/12/09 (f)

§341(a) Meeting Date: 12/17/09 **Claims Bar Date:** 01/29/15

Ref.#	1 Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property <u>Abandoned</u> OA=§554(a)	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	Single family residence - 7550 Denrick Road, Orc	107,811.00	0.00		0.00	FA
2	Cash on hand	100.00	100.00		0.00	FA
3	Amcore Bank checking account certificates of dep	200.00	0.00		0.00	FA
4	Various household goods and furnishings audio, v	1,000.00	1,000.00		0.00	FA
5	Wearing apparel	200.00	200.00		0.00	FA
6	3 life insurance policies Allstate Life Insuranc	0.00	0.00		0.00	FA
7	Anticipated tax refund 2009	3,100.00	0.00		0.00	FA
8	1978 Ford F250	1,000.00	0.00		0.00	FA
9	1986 Lincoln Town Car	1,500.00	0.00		0.00	FA
10	Faulty Hip Replacement/DePuy & Premier Ortho (u)	239,000.00	207,310.00		224,660.00	FA
10	Assets Totals (Excluding unknown values)	\$353,911.00	\$208,610.00		\$224,660.00	\$0.00

#### Major Activities Affecting Case Closing:

TRUSTEE WAITING FOR LIEN CREDITOR'S CHECK TO CLEAR BEFORE PREPARING FINAL REPORT.

Initial Projected Date Of Final Report (TFR): **Current Projected Date Of Final Report (TFR):** July 1, 2015 April 30, 2015

Printed: 03/24/2015 02:40 PM V.13.21

Exhibit A

Page: 1

Exhibit B

Page: 1

\$114,397.14

# Form 2 Cash Receipts And Disbursements Record

Case Number: 09-75019-MB

GENDLE, GEORGE R., JR.

GENDLE, DOROTHY I

**Taxpayer ID #:** \*\*-\*\*\*3569

Case Name:

Period Ending: 03/24/15

Trustee: BERNARD J. NATALE (330370)

Bank Name: Rabobank, N.A.

Account: \*\*\*\*\*\*\*66 - Checking Account

Blanket Bond: \$472,000.00 (per case limit)

Separate Bond: N/A

1	2	3	4		5	6	7
Trans. Date	{Ref #} / Check #	Paid To / Received From	Description of Transaction	T-Code	Receipts \$	Disbursements \$	Checking Account Balance
02/23/15	{10}	Meyers & Flowers LLC	Proceeds from Hip Replacement Settlement	1242-000	224,660.00		224,660.00
02/27/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		32.31	224,627.69
03/02/15	101	Barrick Switzer Long Balsley & Van Evera LLP	Ref # SC R VAN EVERA (Special Counsel Fees for R Van Evera)	3210-600		21,572.23	203,055.46
03/02/15	102	Meyers & Flowers LLC	Ref # SC SEAN HENDRICKS (Special Counsel Fees for S Hendricks)	3210-600		43,144.44	159,911.02
03/02/15	103	Meyers & Flowers	Ref # SPECIAL COUNSEL COSTS	3220-610		7,913.88	151,997.14
03/02/15	104	Diamond Financial Solutions	Ref # 3620000794 (Payment for Loan Debtors, D & G Gendle took against settlement	4210-000		20,250.00	131,747.14
03/02/15	105	Dorothy Gendle	Ref # D GENDLE EXEMPT	8100-002		17,350.00	114,397.14

 ACCOUNT TOTALS
 224,660.00
 110,262.86

 Less: Bank Transfers
 0.00
 0.00

 Subtotal
 224,660.00
 110,262.86

 Less: Payments to Debtors
 17,350.00

 NET Receipts / Disbursements
 \$224,660.00
 \$92,912.86

Net Receipts: 224,660.00 Less Payments to Debtor: 17,350.00

Net Estate : \$207,310.00

 Net TOTAL - ALL ACCOUNTS
 Net Receipts
 Net Disbursements
 Account Balances

 Checking # \*\*\*\*\*\*66
 224,660.00
 92,912.86
 114,397.14

 \$224,660.00
 \$92,912.86
 \$114,397.14

{} Asset reference(s) Printed: 03/24/2015 02:40 PM V.13.21

## EXHIBIT C ANALYSIS OF CLAIMS REGISTER

	A	NALYSIS C	OF CLAIMS REGIST	ΓER Claims Ba	ar Date: Januar	y 29, 2015
	nber: 09-75019-MB [ame: GENDLE, GEORGE R., JR.		Page: 1		Date: March Time: 02:40:	
Claim #	Creditor Name & Address	Claim Type	Claim Ref. No. / Notes	Amount Allowed	Paid to Date	Claim Balance
ATTY 199	BERNARD J. NATALE, LTD. 6833 STALTER DRIVE, STE 201 ROCKFORD, IL 61108	Admin Ch. 7	10/02/14-03/02/15	\$3,225.00	\$0.00	3,225.00
SPBS 199	Barrick Switzer Long Balsley & Van Evera LLP 6833 Stalter Drive 1st Floor Rockford, IL 61108	Admin Ch. 7	SC R VAN EVERA Per Court order entered by	\$21,572.23 the Bankruptcy Court o	\$21,572.23 n 2/11/15	0.00
TRTE 199	BERNARD J. NATALE 6833 STALTER DRIVE SUITE 201 ROCKFORD, IL 61108	Admin Ch. 7	[Updated by Surplus to Deb	\$9,566.31 otor Report based on Ne	\$0.00 et Estate Value: 12	9,566.31 (6326.21]
SPM&F 199	Meyers & Flowers LLC 3 North Second Street Suite 300 St Charles, IL 60174	Admin Ch. 7	SC SEAN HENDRICKS Per Order entered by the Ba	\$43,144.44 ankruptcy Court on 2/11	\$43,144.44 1/15	0.00
SPEM&F 199	Meyers & Flowers 3 North Second Street Suite 3 St Charles, IL 60174	Admin Ch. 7	SPECIAL COUNSEL COST Per order entered by the Ba	• •	\$7,913.88 /15	0.00
ATTYEXP 199	BERNARD J. NATALE, LTD. 6833 STALTER DRIVE, STE 201 ROCKFORD, IL 61108	Admin Ch. 7	12/11/14-01/19/15	\$48.96	\$0.00	48.96
EXEMPT 100	Dorothy Gendle % Attorney Richard Van Evera 6833 Stalter Drive 1st Flr Rockford, IL 61108	Secured	D GENDLE EXEMPT Exemptions from PI Cause	\$17,350.00 of Action per Order ent	\$17,350.00 ered by the Court	0.00 on 02/11/15
DFCLLC 950	Diamond Financial Solutions 888 Town Center Drive Langhorne, PA 19047	Secured	3620000794  Per order entered by the Baagainst settlement funds.	\$20,250.00 ankruptcy Court on 2/11	\$20,250.00 /15 for loan taken	0.00 by debtors
1 610	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	Unsecured	4809	\$1,584.37	\$0.00	1,584.37
2 610	Capital One, N.A. c o Becket and Lee LLP POB 3001 Malvern, PA 19355-0701	Unsecured	2624/KOHLS	\$2,900.36	\$0.00	2,900.36
3 610	PYOD, LLC as assignee of Citibank NA Resurgent Capital Services PO Box 19008 Greenville, SC 29602	Unsecured	7179/CITIBANK/SEARS	\$113.14	\$0.00	113.14
4 610	PYOD, LLC as assignee of RBS Citizens, NA Resurgent Capital Services PO Box 19008	Unsecured	4443/RBS CITIZENS	\$1,917.96	\$0.00	1,917.96

Greenville, SC 29602

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Claims Bar Date: January 29, 2015

## EXHIBIT C ANALYSIS OF CLAIMS REGISTER

Case Number:09-75019-MBPage: 2Date:March 24, 2015Debtor Name:GENDLE, GEORGE R., JR.Time: 02:40:30 PM

Claim #	Creditor Name & Address	Claim Type	Claim Ref. No. / Notes	Amount Allowed	Paid to Date	Claim Balance
5 610	PYOD, LLC as assignee of Citbank NA Resurgent Capital Services PO Box 19008 Greenville, SC 29602	Unsecured	2795/CITIBANK/HOME DEPOT	\$337.82	\$0.00	337.82
6 610	PYOD, LLC as assignee of Citibank NA Resurgent Capital Services PO Box 19008 Greenville, SC 29602	Unsecured	1738/CITIBANK	\$4,063.32	\$0.00	4,063.32
7 610	First National Bank of Omaha 1620 Dodge St., Stop Code 3105 Omaha, NE 68197	Unsecured	3713	\$9,252.87	\$0.00	9,252.87
1I 640	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	Unsecured	4809	\$31.68	\$0.00	31.68
2I 640	Capital One, N.A. c o Becket and Lee LLP POB 3001 Malvern, PA 19355-0701	Unsecured	2624/KOHLS	\$57.98	\$0.00	57.98
3I 640	PYOD, LLC as assignee of Citibank NA Resurgent Capital Services PO Box 19008 Greenville, SC 29602	Unsecured	7179/CITIBANK/SEARS	\$2.26	\$0.00	2.26
4I 640	PYOD, LLC as assignee of RBS Citizens, NA Resurgent Capital Services PO Box 19008 Greenville, SC 29602	Unsecured	4443/RBS CITIZENS	\$38.34	\$0.00	38.34
5I 640	PYOD, LLC as assignee of Citbank NA Resurgent Capital Services PO Box 19008 Greenville, SC 29602	Unsecured	2795/CITIBANK/HOME DEPOT	\$6.75	\$0.00	6.75
640	PYOD, LLC as assignee of Citibank NA Resurgent Capital Services PO Box 19008 Greenville, SC 29602	Unsecured	1738/CITIBANK	\$81.24	\$0.00	81.24
7I 640	First National Bank of Omaha 1620 Dodge St., Stop Code 3105 Omaha, NE 68197	Unsecured	3713	\$184.99	\$0.00	184.99
SURPLUS 650	GENDLE, GEORGE R., JR. 7550 DENRICK ROAD CHERRY VALLEY, IL 61016	Unsecured		\$80,983.79	\$0.00	80,983.79
<< Totals :	>>			224,627.69	110,230.55	114,397.14

#### TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 09-75019-MB

Case Name: GENDLE, GEORGE R., JR. Trustee Name: BERNARD J. NATALE

Balance on hand:

114,397.14

Claims of secured creditors will be paid as follows:

Claim Claimant No.	Claim Asserted	Allowed Amount of Claim	-	•
DFCLLC Diamond Financial Solutions	20,250.00	20,250.00	20,250.00	0.00

Total to be paid to secured creditors: \$\) 0.00
Remaining balance: \$\) 114,397.14

#### Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	· ·
Trustee, Fees - BERNARD J. NATALE	9,566.31	0.00	9,566.31
Attorney for Trustee, Fees - BERNARD J. NATALE, LTD	3,225.00	0.00	3,225.00
Attorney for Trustee, Expenses - BERNARD J. NATALE, LTD.	48.96	0.00	48.96
Other Fees: Barrick Switzer Long Balsley & Van Evera LLP	21,572.23	21,572.23	0.00
Other Expenses: Meyers & Flowers	7,913.88	7,913.88	0.00
Other Fees: Meyers & Flowers LLC	43,144.44	43,144.44	0.00

Total to be paid for chapter 7 administration expenses: \$\frac{12,840.27}{101,556.87}\$

## Applications for prior chapter fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	•
None			

 In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$0.00 must be paid in advance of any dividend to general (unsecured) creditors.

## Allowed priority claims are:

Claim No	Claimant	Allowed Amount of Claim	•	*	
None					

Total to be paid for priority claims: \$ 0.00

Remaining balance: \$ 101,556.87

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$20,169.84 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 100.0 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No	Claimant	Allowed Amount of Claim	•	•
1	Capital One Bank (USA), N.A.	1,584.37	0.00	1,584.37
2	Capital One, N.A.	2,900.36	0.00	2,900.36
3	PYOD, LLC as assignee of Citibank NA	113.14	0.00	113.14
4	PYOD, LLC as assignee of RBS Citizens, NA	1,917.96	0.00	1,917.96
5	PYOD, LLC as assignee of Citbank NA	337.82	0.00	337.82
6	PYOD, LLC as assignee of Citibank NA	4,063.32	0.00	4,063.32
7	First National Bank of Omaha	9,252.87	0.00	9,252.87

Total to be paid for timely general unsecured claims: \$\,\) \(\frac{20,169.84}{81,387.03}\)

Tardily filed claims of general (unsecured) creditors totaling \$ 0.00 have been allowed and will be paid *pro rata* only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Tardily filed general (unsecured) claims are as follows:

Claim	Claimant	Allowed Amount Int	terim Payments	Proposed	
No		of Claim	to Date	Payment	
	None				
Total to be paid for tardy general unsecured claims:			\$	0.00	
	Remaining balance:			81,387.03	

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid <u>pro rata</u> only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent, plus interest (if applicable).

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

Claim No	Claimant	Allowed Amour of Clair	Interim Payments to Date	•
None				
Total to be paid for subordinated claims: \$			0.00	
Remaining balance: \$		81,387.03		

To the extent funds remain after payment in full of all allowed claims, interest will be paid at the legal rate of 0.4% pursuant to 11 U.S.C. § 726(a)(5). Funds available for interest are \$403.24. The amounts proposed for payment to each claimant, listed above, shall be increased to include the applicable interest.

The amount of surplus returned to the debtor after payment of all claims and interest is \$80,983.79.